

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
)	
SECURITIES AND EXCHANGE)	
COMMISSION,)	
)	
Plaintiffs,)	
v.)	No. 05-10247-NMG
)	
JAMES TAMBONE and ROBERT HUSSEY,)	
)	
Defendants.)	
)	
)	
)	
_____)	

**JOINT MOTION TO EXTEND TIME WITHIN WHICH TO FILE
RESPONSIVE PLEADINGS OR MOTIONS**

NOW COMES Frank A. Libby, counsel for Defendant Robert Hussey, David Thomas, counsel for Defendant James Tambone, and Luke Cadigan, counsel for Plaintiff Securities and Exchange Commission (the "Parties"), and respectfully move that the deadline for filing responsive pleadings or motions be extended in the manner set forth below.

In support whereof, the Parties state as follows:

1. Plaintiff filed its Complaint in the above-captioned action on February 9, 2005;
2. Defendants' initial responses to the Complaint otherwise would be due twenty (20) days after acceptance of service;
3. In light of the complexity of the matters raised in the Complaint, such an extension is reasonable and necessary;
4. The Parties have discussed and have reached an agreement regarding the extension of time for filing responsive pleadings or motions;

5. The Parties have not previously requested an extension of time for Defendants' initial responsive pleadings or motions;

Wherefore, the Parties respectfully request that the deadline for filing responsive pleadings or motions be extended in the following manner:

1. Defendants' deadline for serving their responsive pleadings or motions is extended to and including April 8, 2005; and

2. In the event that either Defendant moves to dismiss the Complaint on that date, Plaintiff's response to any such motion will be served on or before May 9, 2005; and

3. Defendants' reply memorandum to any such response by Plaintiff will be served on or before May 23, 2005.

WHEREFORE, the undersigned respectfully request that this Honorable Court extend the time within which responsive pleadings or motions must be filed.

Respectfully submitted,

SECURITIES AND EXCHANGE
COMMISSION

By: /s/ Luke T. Cadigan
Luke T. Cadigan (BBO # 561117)
Celia Moore (BBO # 542136)
David London (BBO # 638289)
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KELLY, LIBBY & HOOPES, P.C.

By: /s/ Frank A. Libby, Jr.
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Attorneys for Plaintiffs

GREENBERG TRAURIG, LLP

By: /s/ David Thomas
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Attorneys for Defendant James Tambone

Of Counsel:

CLIFFORD CHANCE US LLP

By: /s/ Warren L. Feldman
Warren L. Feldman
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New York, NY 10019
Tel.: (212) 878-8000

Attorneys for Defendant Robert Hussey

DATED: February 28, 2005

L.R. 7.1 CERTIFICATION

I, Warren L. Feldman, hereby certify that prior to this day, I have conferred with the above named counsel for the Parties and pursuant to such discussions respectfully file this Joint Motion to Extend Time Within Which to File Responsive Pleadings.

/s/ Warren L. Feldman

Warren L. Feldman

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiffs,

v.

JAMES TAMBONE and ROBERT HUSSEY,

Defendants.

No. 05-10247-NMG

**[PROPOSED] ORDER GRANTING JOINT MOTION TO EXTEND TIME WITHIN
WHICH TO FILE RESPONSIVE PLEADINGS**

Counsel for Plaintiff and Defendants, having jointly moved for an extension of time for the filing of responsive pleadings, and good cause therefore being shown;

IT IS HEREBY ORDERED that the Defendants' deadline for serving their responsive pleadings is extended to and including April 8, 2005;

IT IS HEREBY ORDERED that in the event that either Defendant moves to dismiss the Complaint on that date, Plaintiff's response to any such motion will be served on or before May 9, 2005;

IT IS HEREBY ORDERED that Defendants' reply memorandum to any such response by Plaintiff will be served on or before May 23, 2005.

FOR THIS COURT,

Nathaniel M. Gorton
United States District Judge

February ___, 2005

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DISTRICT OF MASSACHUSETTS

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COMMISSION,

Plaintiffs,

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FOR THIS COURT,

Nathaniel M. Gorton
United States District Judge

February __, 2005